



LEGISLATIVE COUNCIL  
LEGAL AND SOCIAL ISSUES COMMITTEE

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Inquiry: Inquiry into Victoria's criminal justice system

Hearing Date: 19 October 2021

Question[s] taken on notice

Directed to: The Justice Map

**1. Ms Maxwell Page no. 29**

**Question asked.**

What percentage of people incarcerated do not have a victim attached to their offending? Do you have any statistics on that?

**Response:**

This question depends to some degree on how you define the word 'victim'. In 2019-20, the second most common offence was illicit drug offences (20% of people convicted.) The third most common offence was public order offences (11%.) Within these categories, there are many types of offending that do not include causing harm to another person, but rather are seen to offend public standards.

More broadly, we would suggest that relying on binary categories of 'victim' and 'offender' are not useful. Most people incarcerated in Victoria are themselves victims of significant violence and child abuse. We have outlined the statistics relevant to this in our submission. In addition, women in particular are often incarcerated as a direct response to their experience of being family violence victims, including by being misidentified as perpetrators by police.

**2. Ms Maxwell Page no. 30**

**Question asked.**

Do you have any substantial evidence to support your claim that private prisons are bribing judges?

**Response:**

We are not aware of evidence that private prisons are bribing judges in Australia. However, we did provide evidence about these activities occurring in the United States. This is proven to have happened in the United States. For example, In 2008, judges Michael Conahan and Mark Ciavarella were convicted of accepting money from private prison companies in return for imposing harsh adjudications on juveniles to increase occupancy at for-profit detention centers. You can read more about these and other cases of judicial bribery by private prison owners [here](#).